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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,689	05/08/2001	Steven Soloff	PD-201017A	3251

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PATENT DOCKET ADMINISTRATION RE/R11/A109
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EXAMINER	
BELIVEAU, SCOTT E	
ART UNIT	PAPER NUMBER
2623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/22/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/851,689	SOLOFF, STEVEN	
	Examiner	Art Unit	
	Scott Beliveau	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 October 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,6,8-13,15,17,19-23,25,26,28,30 and 33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,6,8-13,15,17,19-23,25,26,28,30 and 33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 12, 23, and 25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 33 is objected to because the recitation of "said temporary memory storage device" lacks antecedence. For the purpose of art evaluation, the examiner shall presume the claim is referencing "a temporary memory storage device". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 2, 13, and 23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The application discloses that:

> "Because each user IRD has a corresponding identification number, this ID number in conjunction with the IRD manufacturer's sales records, if available, can be used to determine the geographic location of the IRD, and therefore, its user". (Page 12, Lines 11-16)

Claim 2 requires that the "IRD [has] an identification number that is uniquely associated with a particular user and geographic location, . . . [and] said remote data processing center match[es] the IRD identification number to the particular user to associate a particular geographic location with said navigational log record". Claim 13 similarly requires that the "IRD [has] an identification number that is uniquely associated with a particular user and geographic location, . . . [and] said remote data processing center match[es] the IRD identification number to the particular user to associate a particular geographic location with said navigational log record". Claim 23 further sets forth that "said user receiving means [has] an identification number that is uniquely associated with a particular user and geographic location . . . [and] said remote processing location match[es] the identification number of the receiving means to the particular user to associate the user's geographic location with the user's navigational log record". The cited passage of the application, however, is silent with respect to the particular identification number necessarily being unique to a particular user and geographic location (ex. all users within a particular area may have the same terminal identifier – zip code). The cited passage of the application, however, is also silent that the particular process by which to determine the association is based upon a 'match' as opposed to some other analytical/statistical processed that could be employed in order to derive/determine the information. Furthermore, the claim requires associating the particular user geographic location to the user's navigational log record, however, the cited passage only appears to describe determining the user's location and not associating it with the navigational log at the remote processing location.

5. Claim 26 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The application discloses that:

> ". . . . the identification number of the user's IRD is recorded in nonvolatile FLASH memory . . . until it is requested and sent back to a remote site . . . where it can be analyzed" (Page 6, Lines 9-14)
>
> and
>
> "Because each user IRD has a corresponding identification number, this ID number in conjunction with the IRD manufacturer's sales records, if available, can be used to determine the geographic location of the IRD, and therefore, its user". (Page 12, Lines 11-16)

Claim 26 requires "inserting an identifier in the navigation log record that uniquely identifies the geographical location of the user viewing said scene". The cited passages of the application, however, is silent with respect to the particular identifier necessarily being a unique identifier of the geographic location.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 4, 6, 8-12, 15, 17, 19-22, 25, 28, 30, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Aras et al. (US Pat No. 5,872,558).

Claim 1 is rejected wherein Figure 1B of Aras et al. illustrates a "system for identifying and processing satellite based television usage and navigational data". In particular the system comprises "means for generating informative scenes related to advertising information . . . transmitted along with a televised broadcast in satellite broadcasts" [101] such as those scenes associated with television commercials which are typically included within a television broadcast or other traditional television programming (Table IV; Col 6, Lines 45-54). These "informative scenes" are subsequently received by a home station [111]. The home station comprises a "means for displaying said televised broadcast and said informative scenes on a viewing device located at a user location [and] means for allowing the user to selectively review said informative scenes while viewing the televised broadcast and to transaction from a first informative scene to a subsequent informative scene" [1563] in conjunction with the viewing of the television broadcast and associated advertisement (Col 24, Lines 29-43). Advertisements are 'selectively viewed' given that the user may or may not choose to watch them (ex. change the channel). A subscriber monitoring program [1555] comprising a "means for identifying each discrete scene . . . means for determining when a user transitions from said first informative scene to said subsequent informative scene while viewing the televised broadcast" (Figures 6C and 6D), a "means for recording the identify of each informative scene being viewed by the user and the time of day and duration of said viewing at the time of said user transition, thereby creating a navigational log record" (Figures 10-13; Col 7, Lines 59-67; Col 15, Line 1 – Col 16, Line 33; Col 20, Lines 15-40), a "means for storing said navigation log record in a memory storage device" [1706] (Col 16, Lines 34-51; Col 16, Line 60 – Col 17, Line 22), and a "means for periodically transmitting

said navigational log record stored in said permanent memory storage device to a remote processing location" (Col 17, Lines 57-62; Col 26, Line 44 – Col 27, Line 8).

Claim 4 is rejected wherein "said memory storage device is comprised of FLASH memory" (Aras et al.: Col 26, Lines 16-20).

Claim 6 is rejected wherein "said transmitting means is a modem" (Aras et al.: Col 17, Lines 42-43).

Claim 8 is rejected wherein "said means for storing said navigational log record [further] includes means for temporarily storing said log record in a temporary memory storage device" [1719] and "means for transmitting the contents of said temporary memory storage device to a permanent memory storage device" [1711] (Figure 17; Col 16, Lines 46-51; Col 26, Lines 1-20). The "means for temporarily storing said navigational log record includes means for determining if a scene's navigational log record has already been recorded" (Aras et al.: Col 16, Lines 17-21) and the "means for determining if the capacity of said permanent memory device has been reached, and means for reallocating, if necessary, an array of stored informative scene identities to create space for an additional navigational log" (Aras et al.: Col 14, Lines 25-53; Col 17, Lines 43-56).

Claim 9 is rejected wherein "said means for transmitting the contents of said memory storage device occurs at a predetermined time" (Aras et al.: Col 17, Lines 57-62).

Claim 10 is rejected wherein "said means for storing said navigational log record [further] includes means for temporarily storing said log record in a temporary memory storage device" [1719] and "means for transmitting the contents of said temporary memory storage device to a permanent memory storage device" [1711] (Figure 17; Col 16, Lines 46-

51; Col 26, Lines 1-20). The "means for transmitting the contents of said temporary memory storage device [further] includes means for opening an index and database file in said permanent memory storage device, means for determining a next available write location in said database file, and means for writing each entry in said navigational log record into said database file" in accordance with the buffering, processing, and storage of database records in the structured data array associated with non-volatile storage (Aras et al.: Col 14, Lines 38-43).

Claim 11 is rejected wherein the system further comprises "means for recording the latest recorded navigational log record into a database file even when the storage capacity of said permanent memory storage device has been attained". In particular, Aras et al. teaches that once the permanent memory storage device [1711] becomes full, it transmits its contents upstream and deletes the remaining records (Col 17, Lines 1-16 and 47-50). Subsequently, the system continues processing/storing navigation records and is capable of "recording the latest recorded navigational log record" into the newly emptied/created database subsequent to the storage capacity of the permanent storage having been attained.

Claim 12 is rejected wherein Figure 1B of Aras et al. illustrates a system which implements a "method for identifying and processing satellite based television usage and navigational data". In particular the system comprises "means for generating informative scenes related to advertising information . . . transmitted along with a televised broadcast in satellite broadcasts" [101] such as those scenes associated with television commercials which are typically included within a television broadcast or other traditional television programming (Table IV; Col 6, Lines 45-54). These "informative scenes" are subsequently

received by a home station [111] and "selectively displayed . . . while displaying the televised broadcast on a viewing device located at a user location" [1563] (Col 24, Lines 29-43). Advertisements are 'selectively viewed' given that the user may or may not choose to watch them (ex. change the channel). A subscriber monitoring program [1555] subsequently "determines when a user transitions from a first informative scene to a subsequent informative scene while viewing the televised broadcast" (Figures 6C and 6D), "identifies each discrete scene being viewed by the user and the time of day and duration of said viewing at the time of said user transition, thereby creating a navigational log record" (Figures 10-13; Col 15, Line 1 – Col 16, Line 33; Col 20, Lines 15-40), "stores said navigation log record in a memory storage device" [1706] (Col 16, Lines 34-51; Col 16, Line 60 – Col 17, Line 22) and "periodically transmit[s] said navigational log record stored in said memory storage device to a remote processing location" (Col 17, Lines 57-62; Col 26, Line 44 – Col 27, Line 8).

Claim 15 is rejected wherein "said memory storage device is comprised of FLASH memory" (Aras et al.: Col 26, Lines 16-20).

Claim 17 is rejected wherein "said step of transmitting . . . is via a modem" (Aras et al.: Col 17, Lines 42-43).

Claim 19 is rejected "wherein said step of storing said navigation log record [further] includes temporarily storing said log record in a temporary memory storage device" [1719] and "transmitting the contents of said temporary memory storage device to a permanent memory storage device" [1711] (Figure 17; Col 16, Lines 46-51; Col 26, Lines 1-20). The "step of temporarily storing said navigational log record includes determining if a scene's

navigational log record has already been recorded" (Col 16, Lines 17-21), "determining if the capacity of said permanent memory device has been reached, and reallocating, if necessary, an array of stored informative scene identities to create space for an additional navigational log" (Aras et al.: Col 14, Lines 25-53; Col 17, Lines 43-56).

Claim 20 is rejected wherein the "step for transmitting the contents of said memory storage device occurs at a predetermined time" (Aras et al.: Col 17, Lines 57-62).

Claim 21 is rejected wherein the "step of transmitting the contents of said temporary memory storage device includes opening an index and database file in said permanent memory storage device, determining a next available write location in said database file, and writing each entry in said navigational log record into said database file" in accordance with the buffering, processing, and storage of database records in the structured data array associated with non-volatile storage (Aras et al.: Col 14, Lines 38-43).

Claim 22 is rejected wherein the system further comprises the "step of recording the latest recorded navigational log record into said database file even when the storage capacity of said permanent memory storage device has been attained". In particular, Aras et al. teaches that once the permanent memory storage device [1711] becomes full, it transmits its contents upstream and deletes the remaining records (Col 17, Lines 1-16 and 47-50). Subsequently, the system continues processing/storing navigation records and is capable of "recording the latest recorded navigational log record" into the newly emptied/created database subsequent to the storage capacity of the permanent storage having been attained.

Claim 25 is rejected as previously set forth wherein Aras et al. discloses a "computer program stored in a computer readable medium embodying instructions to perform a method

of tracking satellite-based television usage characteristics" (Col 26, Line 33-41). In particular, the method comprises "determining when a user transitions from a first informative scene being displayed on a user's viewing device to a subsequent informative scene displayed upon said viewing device while concurrently viewing a televised broadcast upon said viewing device, wherein said scenes comprise advertising information transmitted along with the televised broadcast in satellite television broadcasts" (Table IV; Col 6, Lines 45-54; Col 24, Lines 29-43; Figures 6C and 6D), "identifying the informative scene being viewed by the user and the time of day and duration of said viewing at the time of said user transition, thereby creating a navigational log record" (Figures 10-13; Col 15, Line 1 – Col 16, Line 33; Col 20, Lines 15-40), "storing said navigation log record, where said computer program labels the log record as a PAGEHIT, in a memory storage device" [1706] indicative of the user having viewed/watched a particular scene (Col 16, Lines 34-51; Col 16, Line 60 – Col 17, Line 22), and "periodically transmitting said navigational log record stored in said permanent memory storage device to a remote processing location" (Col 17, Lines 57-62; Col 26, Line 44 – Col 27, Line 8).

Claim 28 is rejected wherein "said memory storage device is comprised of FLASH memory" (Aras et al.: Col 26, Lines 16-20).

Claim 30 is rejected wherein the "step of transmitting . . . is via a modem" (Aras et al.: Col 17, Lines 42-43).

Claim 33 is rejected wherein the "step of transmitting the contents of [a] temporary memory storage device occurs at a predetermined time" (Aras et al.: Col 16, Lines 46-51).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 2, 13, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aras et al. (US Pat No. 5,872,558) in view of Del Sesto et al. (US Pat No. 6,530,082).

Claim 2 is rejected wherein the system further comprises a "user integrated receiver/decoder (IRD) [111] that "receives the satellite broadcasts and distributes the television broadcast and selected informational scenes to the display means" (Col 24, Lines 29-42). The "IRD" [111] further comprises an "identification number" [1401] that is "included in the navigational log" (Col 17, Lines 23-40), however, the reference is silent with respect to the processing center handling the "IRD identification number" [1401] as claimed. In an analogous art related to the field of interactive video distribution, the Del Sesto et al. reference discloses a method for tracking viewer interactions wherein the receiver comprises an "identification number" [530] "that is uniquely associated with a particular user and geographic location, wherein the . . . identification number is included in the navigational log record" [500] and the "remote data processing center" [122] "matches the . . . identification number to the particular user to associate a particular geographic location with said navigational log record" (Col 15, Lines 25-65). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Aras et al. "IRD" [111] to "have an identification number that is uniquely associated with a

particular user and geographic location wherein said IRD identification number is included in the navigational log record, said remote data processing center matching the IRD identification number to the particular user to associate a particular geographic location with said navigational log record" for the purpose of providing a means for not only precisely monitoring viewership (Col 2, Lines 9-23) but to further enable for further augmentation with demographic or psychographic data about the viewing audience in order to better target programming (Del Sesto et al.: Col 2, Line 43 – Col 3, Line 7).

Claim 13 is rejected wherein the method further comprises "decoding the satellite broadcast with user integrated receiver/decoder (IRD)" [111] (Col 24, Lines 29-42). The "IRD" [111] further comprises an "identification number" [1401] that is "included in the navigational log" (Col 17, Lines 23-40), however, the reference is silent with respect to the processing center handling the "IRD identification number" [1401] as claimed. In an analogous art related to the field of interactive video distribution, the Del Sesto et al. reference discloses a method for tracking viewer interactions wherein the receiver comprises an "identification number" [530] "that is uniquely associated with a particular user and geographic location, wherein the . . . identification number is included in the navigational log record" [500] and the "remote data processing center" [122] "matches the . . . identification number to the particular user to associate a particular geographic location with said navigational log record" (Col 15, Lines 25-65). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Aras et al. "IRD" [111] to "have an identification number that is uniquely associated with a particular user and geographic location wherein said IRD identification number is included in

the navigational log record, said remote data processing center matching the IRD identification number to the particular user to associate a particular geographic location with said navigational log record" for the purpose of providing a means for not only precisely monitoring viewership (Col 2, Lines 9-23) but to further enable for further augmentation with demographic or psychographic data about the viewing audience in order to better target programming (Del Sesto et al.: Col 2, Line 43 – Col 3, Line 7).

Regarding claim 26, Arras et al. discloses "inserting an identifier" [1401] in the "navigation log record" (Figure 14), however, the reference is silent with respect to the "identifier in the navigation log record . . . uniquely identify[ing] the geographical location of the user viewing said scene". In an analogous art related to the field of interactive video distribution, the Del Sesto et al. reference discloses a method for tracking viewer interactions wherein an "identification number" [530] is "inserted in the navigation log record" [500] "that uniquely identifies the geographical location of the user viewing said scene" (Col 15, Lines 25-65). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Aras et al. to "insert an identifier in the navigation log record that uniquely identifies the geographical location of the user viewing said scene" for the purpose of providing a means for not only precisely monitoring viewership (Col 2, Lines 9-23) but to further enable for further augmentation with demographic or psychographic data about the viewing audience in order to better target programming (Del Sesto et al.: Col 2, Line 43 – Col 3, Line 7).

10. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aras et al. (US Pat No. 5,872,558), in view of Laubach et al. (US Pat No. 5,870,134), and in further view of Del Sesto et al. (US Pat No. 6,530,082).

Claim 23 is rejected in light of the rejection of claim 1 wherein Figure 1B of Aras et al. illustrates a "satellite-based communications network for identifying and processing satellite based television usage and navigational data". Turning to Figure 1B, the system comprises a "broadcast center for broadcasting information" [123], "one or more communication satellites for receiving said broadcasting information" [115], "user receiving means [having an identification number (1401)] situated within said satellite's coverage area to receive said broadcast information" [111] and a "viewing device connected to said user receiving means" [1563]. The home station [111] comprises "video image selection means for providing a user with a means of transitioning from one informative scene to a subsequent informative scene, wherein said video image comprises said broadcast information" [1551] and "means for compiling user navigational data" [1555] (Col 6, Lines 45-54; Col 24, Line 29 – Col 26, Line 32) wherein "said navigational data includes the identification of the scene being viewed, the time the user is viewing said scene, the length of time of said viewing, and the identification number of the user receiving means" (Figures 10-14; Col 17, Line 57 – Col 18, Line 9; Col 20, Lines 15-40).

The Aras et al. reference is silent with respect to "means for periodically transmitting said stored navigational log record to a remote processing location via a wireless data transfer". In an analogous art pertaining to the field of television distribution systems, the Laubach et al. reference provides evidence as to a "wireless data transfer" or wireless cable modem that

is utilized to wirelessly transfer data upstream (Col 2, Line 44 – Col 3, Line 6; Col 7, Lines 7-10). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Aras et al. to comprises "means for periodically transmitting said stored navigational log record to a remote processing location via a wireless data transfer" for the purpose of providing an efficient, transparent, and cost-effective approach for implementing two-way video distribution systems (Laubach et al.: Col 2, Lines 29-41) that further supports the upstream communication of monitoring information associated with satellite based television usage (Aras et al.: Col 2, Lines 52-56).

The Aras et al. reference is also silent with respect to the particular nature of the "identification number" such that it is "uniquely associated with a particular user and geographic location" and the "remote processing location match[es] the identification number of the receiving means to the particular user to associate the user's geographic location with the user's navigational log record". In an analogous art related to the field of interactive video distribution, the Del Sesto et al. reference discloses a method for tracking viewer interactions wherein the receiver comprises an "identification number" [530] "that is uniquely associated with a particular user and geographic location and the "remote data processing center" [122] "matches the . . . identification number to the particular user to associate a particular geographic location with said navigational log record" (Col 15, Lines 25-65). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Aras et al. to "have an identification number that is uniquely associated with a particular user and geographic location" and "said remote data processing center matching the IRD identification number to the particular user to associate a

particular geographic location with said navigational log record" for the purpose of providing a means for not only precisely monitoring viewership (Col 2, Lines 9-23) but to further enable for further augmentation with demographic or psychographic data about the viewing audience in order to better target programming (Del Sesto et al.: Col 2, Line 43 – Col 3, Line 7).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

- The Seidman et al. (US Pat No. 6,298,482) reference provides evidence for the transfer of information between temporary and permanent memory.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Scott Beliveau
Primary Examiner
Art Unit 2623

SEB
December 19, 2006